

FLOYD COLLINS,
Appellant

v.

ACTING BILLINGS AREA DIRECTOR,
BUREAU OF INDIAN AFFAIRS,
Appellee

: Order Denying Reconsideration
:
:
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: Docket No. IBIA 96-23-A
:
:
: February 26, 1997

The Board issued a decision in this appeal on January 13, 1997. 30 IBIA 165. On February 18, 1997, the Board received a petition for reconsideration from the Billings Area Director.

43 CFR 4.315 provides that petitions for reconsideration "must be filed with the Board within 30 days from the date of the decision." In this case, therefore, a petition for reconsideration of the Board's January 13, 1997, decision was required to have been mailed on or before February 12, 1997.

The Area Director's petition for reconsideration is postmarked February 13, 1997, and is therefore untimely. The petition also fails to certify that it was served on the other parties to this appeal.

Pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, the Area Director's petition for reconsideration is denied as untimely.

Anita Vogt
Administrative Judge

Kathryn A. Lynn
Chief Administrative Judge